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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001912

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STATE FOR SA/INS

E.O. 12958: DECL: 11/23/2014

TAGS: PGOV PHUM PREL MV

SUBJECT: MALDIVIAN REFORMISTS IN EXILE ASK FOR USG SUPPORT

REF: A. COLOMBO 1878

1B. COLOMBO 1686

1C. COLOMBO 1582

Classified By: DCM JAMES F. ENTWISTLE. REASON: 1.4 (B,D).

SUMMARY

¶1. (C) In a November 24 meeting with poloffs, representatives of the unregistered Maldivian Democratic Party (MDP) living in Sri Lanka expressed concern about the freeness and fairness of parliamentary elections scheduled for December 31. In particular, they said that legal restrictions, including house arrest and/or the prospect of serious criminal charges, against the MDP's most prominent members in Maldives have created a climate of intimidation and inhibited the MDP from mounting a credible campaign. Absent significant MDP representation, they argued, the new Parliament will function as no more than a rubber stamp for President Gayoom, obstructing genuine reform efforts and ensuring Gayoom remains in office for his seventh five-year term. The MDP representatives asked the U.S. to press for three specific actions from Gayoom before the election: to allow the MDP to register as a party; to engage with MDP members in exile; and to drop criminal cases against the MDP's most prominent members. We agree that current circumstances are not promising for fully free and fair elections and that prospects for Gayoom continuing on the path to reform may be fading. End summary.

MDP: ONLY THIRD-STRING CANDIDATES

¶2. (C) On November 24 poloffs met with Mohamad Latheef, Mohamad Nasheed, Hassan Zahir and Adam Abdul Gafoor, representatives of the Maldivian Democratic Party (MDP) living in self-imposed exile in Sri Lanka. The delegation had requested the meeting to discuss concerns about the welfare of six MDP Members of the Special Majlis under house arrest and about elections for the People's Majlis scheduled for December 31. They said they were particularly worried about the mental and physical health of former SAARC Secretary General Ibrahim Zaki, a heart patient who had

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suffered a mild stroke before his arrest in August and had shown clear signs of physical and mental distress when Ambassador and DCM met with him on two separate occasions during his detention (Refs B and C). According to Zaki's son, the former SAARC Secretary General and career civil servant had signed a "statement" under duress as a condition of his release from the prison island of Dhoonidhoo to house arrest in the capital of Male but had never actually read the contents of the statement and thus claims not to know what he actually confessed to. (Note: As reported Ref B, when Ambassador met Zaki in detention on October 7, Zaki repeated several times in an agitated manner that he had agreed to sign a "statement" the following day in exchange for permission to see his family and go to the hospital. When Ambassador asked what the statement was, Zaki replied "a statement of what I have done." End note.)

¶3. (U) Relatively minor charges (for unlawful assembly) have been filed against two of the twelve MPs who had been detained in the wake of the August 12-13 disturbances. There are no charges so far against the six Special Majlis MPs (including Zaki, former Attorney General Mohamad Munavvar and businessman Ibrahim Gasim) who remain under house arrest and are proscribed from receiving telephone calls. Other MPs who were released from detention on Dhoonidhoo are under "island arrest" (not permitted to leave their home island).

¶4. (C) Even though charges have been filed against only two MPs so far, the other 10 MPs, especially those under house arrest, live with the constant fear that charges--probably very serious charges--may be filed against them by the Government of the Republic of Maldives (GORM) at any moment, the MDP representatives said. As a result, none of the MPs under house arrest or any other "front-line" MDP activists have filed papers to run in the December 31 People's Majlis election. The GORM pressured the MDP's likeliest and most popular potential candidates--almost all of whom were

detained after the August 12-13 unrest--not to run in exchange for "going easy on them" in considering which charges to file against them, Nasheed claimed. As a result, even though 30 MDP sympathizers are running in the election (42 seats are open), most of these candidates are the party's "third team," he said, who have neither the name recognition, popularity or financing of its most prominent membership. Moreover, Ibrahim Gasim, a wealthy businessman who had helped other young pro-reform Maldivians get their start in politics, is discouraging these proteges from running as well, Latheef said. Without its best-known candidates (and, implicitly, without Gasim's bankroll), the MDP is finding it difficult to mount a credible campaign, the delegation indicated.

INTIMIDATION, ISLAND-STYLE

15. (C) The GORM is using its well-oiled administrative machinery to ensure that even those MDP candidates who are running face an uphill struggle, Nasheed charged. Minister of Atoll Administration Abdullah Hameed, who is President Gayoom's brother-in-law, has been telling atoll chiefs that their positions of leadership and Government funding for their atolls will be in jeopardy if MDP candidates win on islands under their jurisdiction, Nasheed claimed. As a result, atoll chiefs are actively campaigning against the MDP candidates, warning islanders not to vote for them. With such rampant intimidation of voters and candidates, how can the elections be considered free and fair, Latheef asked. International election observers are unlikely to find evidence of fraud or rigging, Nasheed added, since Gayoom will have already ensured the outcome of the election long before voting takes place. The composition of the People's Majlis is particularly important to Gayoom, Latheef said, because the Majlis selects the lone presidential candidate. (Note: Under the Maldivian system, candidates for the presidency nominate themselves. The 50-member People's Majlis then selects one candidate--which, for the past 26 years, has invariably been President Gayoom--and submits his name for a popular referendum. No one else runs against the Majlis-selected candidate in the referendum. End note.) By ensuring a pro-Gayoom People's Majlis, Nasheed said, Gayoom will effectively ensure his re-election for a seventh term. (Note: It has been widely assumed that Gayoom would not seek re-election after his term ends in 2008. At present, however, there is no legal restriction on his doing so. End note.) By hamstringing the MDP, "Gayoom has been able to circumvent many of his difficulties. In many senses, he has won this round," Nasheed concluded.

16. (SBU) On November 26 Nasheed contacted poloffs again to report that two MDP candidates for re-election to the People's Majlis, Mohamad Shihab and Hassan Afeef, were summoned to police headquarters in Male on November 25. Nasheed speculated that the police would attempt to intimidate Shihab and Afeef into withdrawing their nominations.

APPEAL FOR U.S. HELP

17. (C) President Gayoom "takes comfort" in what he views as a supportive U.S. stance toward his regime, Latheef said. Pressure from the U.S. would do much to urge Gayoom along the path to reform, he suggested. The MDP delegation asked for U.S. assistance in persuading Gayoom to take three specific steps. First, the U.S. Embassy should ask the GORM--either the President's office or the Attorney General--to clarify publicly before elections are held whether the registration of political parties is permitted under Article 27 of the Constitution. (Note: While there is no law prohibiting the registration of political parties, there is no law that specifically permits it either. Article 27 allows for freedom of association. The previous Attorney General, Mohamad Munavvar, who is ironically now one of the MPs under house arrest, determined in 2001 that political party registration is not covered under Article 27. Nasheed indicated that the current Attorney General, on the other hand, had once unofficially indicated to him that Article 27 permits political parties to register. End note.) Second, the Embassy should urge President Gayoom to engage with MDP members in exile. Latheef acknowledged that direct communication with the President seems unlikely, but suggested that initial contact with the GORM could be established via one of Gayoom close confidants, e.g., Foreign Minister Fathullah Jameel, Atoll Minister and Gayoom relative Hameed, or Trade Minister and Gayoom relative Abdullah Yameen. Third, the delegation asked the Embassy to persuade Gayoom to drop all charges and investigations against its most prominent members, including the six MPs currently under house arrest, and allow them to campaign without restraint in the upcoming election.

COMMENT

18. (C) MDP-supported candidates won 30 of 42 available seats in Special Majlis elections six months ago--a fairly reliable indicator of the depth of pro-reform sentiment in this tiny

island nation. The GORM seems to be doing its best to discourage a similar outcome in the People's Majlis election. Institutional arrangements for elections in Maldives clearly favor the status quo; the MDP's dubious legal status--a party that cannot register as a party--coupled with the even more dubious legal status of its most prominent members, who have been under one form of detention or the other for the past four months and may face sedition charges in the near future--clearly are hobbling efforts to mount a challenge to Gayoom. Under current circumstances, the December 31 elections seem unlikely to redistribute a deck that is so obviously stacked in Gayoom's favor. The implications of all this for long-term political reform are discouraging. Septel will offer our views on what the U.S. posture should be.

LUNSTEAD